

United States District Court
Northern District of Indiana
Fort Wayne Division

STATE OF INDIANA,

Plaintiff,

v.

JOSEPH R. BIDEN, JR., *et al.*,

Defendants.

Civil Action No. 1:22-cv-192 GSL-SLC

JOINT STATUS REPORT

The parties jointly submit this status report in accordance with the Court's January 8, 2025 Order [Doc. 41].

1. On March 28, 2023, the parties jointly sought a stay of this case pending the resolution of *Florida v. United States*, 21-CV-1066, because that case resulted in an order vacating and remanding the Parole + ATD policy and finding the non-detention policy was not subject to judicial review.
2. The same policies are challenged in this action and the decisions in the *Florida* matter will directly impact this case.
3. On May 9, 2023, the United States' appeal of the *Florida* matter was docketed in the 11th Circuit under Docket Number 23-11528.
4. The parties in this matter filed a status report on June 29, 2023 [Doc. 24] outlining the status of the briefing in the 11th Circuit matter and suggesting this matter remain stayed.
5. The parties filed subsequent status reports on December 27, 2023 [Doc. 29], March 26, 2024 [Doc. 33], June 25, 2024 [Doc. 35], September 25, 2024 [Doc. 37], and January 6, 2025 [Doc. 40].

6. The Court ordered the parties to file a status report on the earlier of (1) the conclusion of the Florida proceedings or (2) May 6, 2025.
7. The appeal of the *Florida* matter before the 11th Circuit is fully briefed.
8. Oral argument was held on January 26, 2024.
9. After oral argument, the 11th Circuit remanded the case to the District Court for the limited purpose of determining whether the trial court had jurisdiction in light of *United States v. Texas*, 599 U.S. 670 (2023).
10. The Florida District Court issued a decision on jurisdiction on February 16, 2024, and a subsequent corrected decision on February 20, 2024.
11. The parties filed supplemental briefing on May 6, 2024, at the request of the 11th Circuit.
12. The case is now awaiting a decision from the 11th Circuit.
13. The parties suggest that the stay should remain in place pending the resolution of the appeal before the 11th Circuit.

Respectfully submitted,

Theodore E. Rokita, #18857-49
Indiana Attorney General

Date: 5/2/2025

s/Betsy M. DeNardi

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CERTIFICATE OF SERVICE

I hereby certify that on May 2, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. Notice of this filing will be sent to all registered parties by operation of the Court's electronic filing system.

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